

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

CHRISTINA L. AGEE,

Plaintiff,

v.

CAROLINE W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

Case No. 14-5418 RBL-KLS

REPORT AND RECOMMENDATION

This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W. v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for remand. (ECF 12). After reviewing the parties' stipulated motion and the remaining record, the undersigned recommends that the Court grant the parties' motion, and remand this matter to the Commissioner for further proceedings and a new decision.

This court recommends that on remand the administrative law judge (ALJ) will further consider and offer rationale for his finding regarding the issue of good cause for the claimant's failure to appear at her scheduled hearing. If, after further consideration, the ALJ finds that the claimant has established good cause, the ALJ will update the record, offer the claimant an opportunity for a supplemental hearing, and issue a new decision on the claimant's application outlining application of the sequential evaluation process. If not, the ALJ will issue a written

1 decision which gives the findings of fact and the reasons for his decision regarding the issue of
2 good cause.

3 On remand, the ALJ and Plaintiff may raise and pursue additional issues.

4 Plaintiff shall be entitled to reasonable attorney fees and costs, pursuant to 28 U.S.C.
5 § 2412(d), upon a timely and proper application to this Court.
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7 Given the fact of the parties' stipulation, the Court recommends that the District Judge
8 immediately approve this Report and Recommendation and order the case **REVERSED** and
9 **REMANDED**. A proposed order accompanies this Report and Recommendation.

10 DATED this 12th day of August, 2014.

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13 Karen L. Strombom
14 United States Magistrate Judge
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